

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Scott LaDell Vance Confirmation No.: 3344
Appl No.: 10/709,345 Group Art Unit: 2618
Filed: April 29, 2004 Examiner: Wen Wu Huang
Title: DEVICE AND METHOD FOR HANDS-FREE PUSH-TO-TALK
FUNCTIONALITY

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 CFR §1.114. No certification or fee is required.
- 3. This Information Disclosure Statement is being filed with a Request for Continued Examination. No certification or fee is required.
- 4. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, Notice of Allowance or other action that closes prosecution (e.g., Quayle Action).
 - a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

c. The required fee of \$180.00 under 37 CFR §1.17(p) will be paid by Electronic Funds Transfer (EFT). Please credit any overpayment or debit any additional fee through Deposit Account No. 13-4365 as needed to ensure consideration of the disclosed information.

5. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection, Notice of Allowance, or other action that closes prosecution (e.g., Quayle Action), but before payment of the Issue Fee. The required fee of \$180.00 under 37 CFR §1.17(p) will be paid by Electronic Funds Transfer (EFT). Please credit any overpayment or debit any additional fee through Deposit Account No. 13-4365 as needed to ensure consideration of the disclosed information.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

Respectfully submitted,



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